

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

DICKEY'S BARBECUE RESTAURANTS,
INC.,

Plaintiff,

v.

LIRA, LLA and LUIGI MANGIONE,

Defendants.

3:10-CV-300P

**SECOND AFFIDAVIT OF LUIGI
MANGIONE**

State of Idaho)
)SS
County of Ada)

The undersigned affiant, Luigi Mangione, being first duly sworn, hereby deposes and says:

1. I am one of the Defendants in the above matter.
2. I am in receipt of the Court's Order to Show Cause and for Issuance of an Attachment and Warrant for Arrest in a Civil Action, dated June 24, 2010.
3. The restaurant at issue in this case has been closed, the premises have been turned over to the landlord, and I am no longer involved in any food service related activities on any wholesale or retail level.
4. Through counsel, I have turned over to Plaintiff all sales data for the period the restaurant at issue in this case was open.


SECOND AFFIDAVIT OF LUIGI MANGIONE - 1

5. I, individually and through Lira, LLC, am now in compliance with all of the Court's orders in this matter.

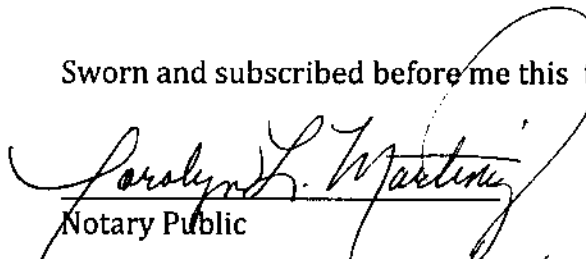
6. My current counsel is attempting to reach a negotiated resolution of this matter with counsel for Plaintiff.

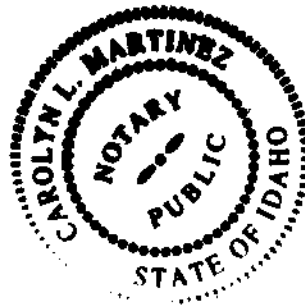
7. I am preparing to file a personal bankruptcy and was financially unable to travel to Texas to appear to show cause in person on June 23, 2010.

Dated this 19th Day of July, 2010


Luigi Mangione

Sworn and subscribed before me this the 19th day of July, 2010.


Notary Public
My Commission expires: 8/28/2012



Certificate of Service

On I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or *pro se* parties of record electronically or by another manner authorized by Federal rule of Civil Procedure 5 (b)(2).

/s/Michael J. McDonagh